

TOWN OF SMITHFIELD PLANNING BOARD AGENDA PACKET



Chairman: Stephen Upton

Vice-Chairman: Daniel Sanders

Members:

Mark Lane

Jack Matthews

Ashley Spain

Gerald Joyner (Alt.)

Eddie Foy

Teresa Daughtry

Paul Embler, Planning Director

Mark Helmer, Senior Planner

Julie Edmonds, Administrative Assistant

Meeting Date: *Thursday, May 4, 2017*

Meeting Time: *6:00 p.m.*

Meeting Place: *Council Chambers, Smithfield Town Hall*

**AGENDA
PLANNING BOARD
REGULAR MEETING
MAY 4, 2017
MEETING TIME: 6:00 PM
TOWN HALL**

Call to Order.

Identify voting members

Approval of the minutes for April 6, 2017

Public Hearings

RZ-17-01 E&F Properties, Inc: The applicant is requesting to rezone approximately 54.95 acres of land from the R-20A (Residential-Agricultural) to the B-3 (Business) zoning district. The property considered for approval is located on the north side of Booker Dairy Road approximately 200 feet east of its intersection with Bradford Street. The property is further identified as Johnston County Tax ID# 14057004D.

Old Business

New Business

Annual training

Adjournment

DRAFT
Smithfield Planning Board Minutes
Thursday, April 6, 2017
6:00 P.M., Town Hall, Conference Room

Members Present:

Chairman Stephen Upton
Vice-Chairman Daniel Sanders
Teresa Daughtry
Jack Matthews

Members Absent:

Ashley Spain
Gerald Joyner
Mark Lane

Staff Present:

Mark Helmer, Senior Planner
Julie Edmonds, Administrative Assistant
Shannan Williams, Town Clerk

Staff Absent:

CALL TO ORDER

APPROVAL OF MINUTES FROM March 2, 2017.

Teresa Daughtry made a motion, seconded by Daniels Sanders to approve the minutes as written. Unanimous.

Public Hearings:

After all persons given testimony were duly sworn, Mr. Upton opened the public hearing.

Mr. Upton reminded the Board the next Town Council meeting will be held May 2, 2017 at 7:00 p.m.

CUP-17-04 Ample Storage:

Mr. Helmer stated the applicant is requesting a conditional use permit to allow for a mini-storage facility on a 4.31 acre tract of land located within a B-3 (Business) zoning district. The property considered for approval is located on the west side of US 70 Highway Business approximately 150 feet south of its intersection with Wilson's Mills Road. The property is further identified as Johnston County Tax ID# 15077011C and a portion of 15078199K.

Mr. Helmer stated the applicant is will be required to recombine the existing parcels prior to site plan approval. Mr. Helmer stated the proposed mini-storage facility will be comprised of 7 buildings totaling approximately 87,000 square feet of enclosed and partially enclosed storage space. The site includes an administrative office towards the front of the complex and one residential unit for around the clock on-sight management. All proposed buildings are situated near the perimeter of the property with solid walls tying each building together creating a secured perimeter. A fence will provide security near the rear property line. The property will be gated and monitored using the latest video surveillance technology.

Access to the site from West Market Street is proposed by two existing driveways. An

NCDOT approved driveway permit will be required prior to site plan approval. ADA accessible sidewalks will be required at this site. Utilities exist within the right-of-way of West Market Street top include a 12" gravity sewer main and a 12" water main. Duke Progress Energy will provide electric to this development. A storm water facility is not shown on the plan. If it is determined that more than ½ acre of additional impervious surfaces are added to the site, a storm water management facility will be required. Landscape yards are shown on the plan and include a 15 foot street yard, 8 foot side transition yards, and a 35 foot planted landscape buffer in the rear of the facility. No interior landscaping is proposed at this time.

Mr. Helmer stated there does not appear to be any environmentally sensitive areas on the property considered for a Conditional Use Permit to include flood plains or designated wetlands. There is a deep ditch that runs parallel to the northern property line between the proposed facility and the Food Lion shopping center. To the west of the subject property is residential and office institutional zoning districts and includes senior citizen care facilities and other multi-family developments. The property adjacent to and south of the subject property will remain undeveloped. To the east is a single family dwelling and an existing church.

Mr. Helmer stated the proposed mini-storage facility is consistent with the recommendations of the Comprehensive Growth Management Plan which calls for commercial uses near the intersection of West Market Street and Wilson's Mills Road. Mr. Helmer stated the mini-storage facility is a permitted use within B-3 (Business) zoning district with a valid conditional use permit. All applicable development regulation to include parking, access, landscaping, and storm water regulations can and will be met prior to site plan approval and issuance of a valid zoning permit. A mini-storage facility at this location should not pose a compatibility issue with surrounding land uses providing required on-site parking is constructed and required landscaping and buffers are installed as per the Town of Smithfield Unified Development Ordinance. The proposed mini-storage facility will qualify for wall and ground signs on the West Market Street side of the property. High-rise signs are not permitted and the applicant has agreed to remove the old Wendy's high-rise sign.

The Planning Department recommends approval of the request for a conditional use permit to allow for a mini-storage facility on a 4.31 acre tract of land and located within the B-3 (Business) zoning district.

The Planning Board is requested to review the petition for a mini-storage facility on property within a B-3 zoning district and make a recommendation to Town Council in accordance with the finding of fact for a conditional use permit.

Chairman Upton stated that the applicant has submitted a plan that does not show a storm water detention facility and he is aware of flooding that has recently occurred downstream from the proposed project. Mr. Upton requested the applicant provide a detailed soils report documenting the imperviousness of the soils.

Mr. Helmer stated that properties to the west of the subject property have suffered from flooding due to Hurricane Mathew. Staff noticed that the pipe located at Skyline Drive just downstream from subject property was very close to overtopping the road during the last storm event. Staff said that it would be prudent for the applicant to provide additional information documenting that negative impacts to adjacent properties do not occur.

Mrs. Daughtry made a motion that the applicant check into the storm water issue. The motion was seconded by Mr. Sanders.

Mrs. Daughtry asked what is going to be the buffer in the back.

Mr. Helmer stated the plan shows the buildings acting as a wall.

Mrs. Daughtry asked if the wall should be before or behind the landscape.

Mr. Helmer stated you would want the landscape in front of the wall.

Mrs. Daughtry asked how high the wall would be.

Mr. Helmer stated that the applicant Mr. Wethington could best answer that question.

Mr. Sanders asked if there would be a second driveway.

Mr. Helmer stated yes basically the existing driveways are there. NCDOT is not requesting any additional improvements to the driveways or turn lanes. The driveways will exist where traffic can pull in and park. The shared driveway will serve both properties.

Mrs. Daughtry asked if the shared driveway was for future use on the rest of the tract.

Mr. Helmer stated it is a separate standalone tract that can be developed separately.

Mr. Sanders asked if the shrubbery would be on the main driveway.

Mr. Helmer stated the applicant is showing a planting street yard. The planning department will make sure the applicant plants to code and make sure they select appropriate sized plants.

Mr. Sanders asked what the parking facilities were going to be.

Mr. Helmer stated it's a low traffic generator as far as the administrative offices. Most people will have access to the facility when they arrive they will come into the facility. The driveway widths are designed such that a vehicle could be backed up to a doorway and still room for a vehicle to get around. The parking in front of facility can be used by employees or visitors. There are seven spaces there and one being a handicap accessible space.

Mr. Sanders asked if we have gotten any feedback from the rest home.

Mr. Helmer stated that given the recent flooding downstream, additional information would be helpful.

Mr. Upton opened the floor up to the applicant to come before the board to be asked questions.

Mr. Wethington wanted to address the perimeter security in the very back of the facility. He stated the facilities intentions are to use 6 foot high black poly chain link fence, with barbed wire at the top. There will be walls between the other buildings forming the secure perimeter.

Mr. Wethington said that providing a soil analysis would not be a problem and if is determined that a storm water detention facility is to be required that the project will do so.

Being no further questions, Teresa Daughtry made a motion to close the case; Stephen Upton closed CUP-17-04.

Mrs. Daughtry made a motion to approve CUP-17-04 and the finding of the fact seconded by Jack Matthews. Unanimous

The Smithfield Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this Conditional Use Permit Application by motion and vote on each of the following four findings of fact.

- 1. Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted and approved or is approved with the following stated conditions.***

The proposed use is for a self-storage facility. The two lots will be recombined to create two large lots. The existing driveway entrances will be maintained and there will be no additional driveways. The proposed facility will include four enclosed buildings and two T-sheds. The facility will be fenced and a 35' landscape buffer will be provided between it and the R-8 zoning to the west. Self-storage generates significantly less traffic that the previous uses which were fast food and a mobile home sales lot. The proposed use will not endanger public health, safety or general welfare.

- 2. Based on evidence and testimony presented it is the finding of the Planning Board that the application, if approved, meets all required specifications and conforms to the standards and practices of sound land use planning and the Town of Smithfield Unified Development Ordinance or other applicable regulations or is approved with the following additional stated conditions.***

The proposed facility will be designed to meet all Town of Smithfield standards and specifications to include storm water detention facility if necessary.

- 3. Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, will not substantially injure the value of adjoining or abutting property and will not be detrimental to the use or development of adjacent properties or other neighborhood uses or is approved with the following additional stated conditions.***

The property to the north of this site is an existing strip mall. A landscape buffer will be provided between the self-storage and the strip mall. The property to the west is vacant

and zoned R-8. A 35' landscaped buffer will be provided between this site and the R-8 property. When the lots are recombined, lot number 2 will be left vacant for future development.

4. ***Based on the evidence and testimony presented it is the finding of the Planning Board that the application, if approved, would not adversely affect the adopted plans and policies of the Town of Smithfield, or violate the character of existing standards for development of the adjacent properties or is approved with the following additional stated conditions.***

The area currently has a mix of commercial uses including a strip mall, fast food, gas station/mini mart and an office building. The Comprehensive Growth Management Plan calls for Commercial use on this site with a buffer to the west and south. A 35' buffer will be provided to the west on Lot 1. The future development on Lot 2 will address the buffer to the south. The proposed self-storage facility will have a brick facade on the faces adjacent to the right-of-way. This will be aesthetically pleasing and will blend, and perhaps improve, the overall look of the area. The T-Sheds will be at the rear of the site and will not be visible from the right-of-way.

Based upon satisfactory compliance with the above stated four findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant's representative;

Old Business:

No Report

New Business:

Annual Training

Quasi-Judicial decisions.

Jack Matthews made a motion to adjourn, seconded by Teresa Daughtry. Unanimous.

Submitted this 6th day of April, 2017.

Julie Edmonds
Administrative Assistant
Planning Department



Town of Smithfield
Planning Department
350 East Market Street
P.O. Box 761
Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

STAFF REPORT

Application Number: RZ-17-01
Project Name: E&F Properties LLC
TAX ID number: 47533009
Town Limits / ETJ: ETJ
Applicant: Adams & Hodge Engineering, PC
Owners: Olivia Holding
Agents: none
Neighborhood Meeting: none

PROJECT LOCATION: The land is located north side of Booker Dairy Road approximately 200 feet east of its intersection with Bradford Street. The property is further identified as Johnston County Tax ID# 14057004D

REQUEST: The applicant is requesting to rezone approximately 54.95 acres of land from the R-20A (Residential-Agricultural) to the B-3 (Business) zoning district.

SITE DATA:

Acreage: 54.95 acres
Present Zoning: R-20A (Residential-Agricultural),
Proposed Zoning: B-3 (Business)
Existing Use: Undeveloped land / Agriculture
Proposed Use: n/a

ENVIRONMENTAL: The property considered for a rezoning does not appear to contain any environmentally sensitive areas to include designated wetlands or regulated streams.

ADJACENT ZONING AND LAND USES:

North: Zoning: R-20A
Existing Use: Residential and Agriculture

South: Zoning: B-3, R-10, R-20A
Existing Use: Residential and vacant land

East: Zoning: B-3

Existing Use: undeveloped / vacant

West: Zoning: R-10
Existing Use: Residential subdivision

STAFF ANALYSIS AND COMMENTARY:

The property considered for rezoning is a large area of undeveloped land currently being used for agricultural purposes. The property is adjacent to North Chase subdivision to the west and North View Subdivision to the south. The southern-most portion of the property is adjacent to Booker Dairy Road and will have road frontage and access to the proposed Durwood Stephenson Highway extension. Utilities to include water, sewer and electric will be available at or near the site considered for rezoning.

Property to east of the subject property was approved for rezoning from residential to commercial by the Smithfield Town Council on March 13, 2015. Including this 55 acre rezoning request, the total combined area zoned for commercial and high density residential land uses in this area will equal approximately 300 acres. The Town of Smithfield Future Land Use Plan fails to address changes in this area that have occurred since the plan adoption. The recent influx of rezoning requests appear to be in response to NCDOT improvements to Booker Dairy Road and the Durwood Stephenson Highway extension and not in response to any adopted small area plan for this area.

- **Consistency with the Strategic Growth Plan**

The Future Land Use Plan has identified this property as being suitable for low density residential land uses. However, the Durwood Stephenson Highway extension is not identified on the plan and it is reasonable to assume that upon its construction this land will be attractive to commercial and high density residential developments.

- **Consistency with the Unified Development Code**

The rezoning will be consistent with the Town of Smithfield Unified Development Ordinance provided that all proposed future land uses and site specific development plans meet the minimum development standards of the Town of Smithfield Unified Development Ordinance.

- **Compatibility with Surrounding Land Uses**

The portion of the property considered for a rezoning is immediately adjacent to two single family dwelling subdivisions. Compatibility issues can be reduced through proper landscape buffers and careful planning of interconnecting access points.

OTHER:

FIRE PROTECTION: The Town of Smithfield Fire Department will provide fire protection.

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: Access from proposed Durwood Stephenson Highway

WATER/SEWER PROVIDER: Town of Smithfield

ELECTRIC PROVIDER: Town of Smithfield

FINDINGS:

In connection with a legislative decision for a rezoning request, the Town council may consider certain approval criteria. Please refer to attached "Approval Criteria". Planning Staff generally accepts these findings as fact as part of a complete application submitted by the petitioner.

Planning Department Recommendations: The Planning Department recommends approval of the request to rezone approximately 54.95 acres of land from the R-20A (Residential-Agricultural) zoning district to the B-3 (Business) zoning district.

Planning Board Action Requested: The Planning Board is requested to review the petition and make a recommendation to Town Council for the rezoning of 54.95 acres tract of land from the R-20A (Residential-Agricultural) zoning district to the B-3 (Business) zoning district.

Town of Smithfield

Rezoning Permit Application

Approval Criteria

Application No. RZ-17-01 Name: E&F Properties, LLC

Request: Zoning reclassification from R-20A (Residential-Agricultural) to B-3 (Highway Entrance Business)

Article 13 Section 13-17 of the Town of Smithfield Unified Development Ordinance requires all applications for a zoning map amendment to address the following eight findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application.

The governing body has the responsibility to determine if the zoning map amendment is warranted. The Planning Board shall recommend and the Town Council of the Town of Smithfield shall decide the matter of this rezoning application by motion and vote on each of the following eight findings of fact. Any motion to find against the application must be supported by statement of specific reason or conclusions reached in support of the motion.

1. Finding One of Eight:

....The zoning petition is in compliance with all applicable plans and policies of the Town of Smithfield....

A. Agree

The rezoning request from a Residential zoning district to a commercial zoning district meets all the Town's plans and policies and will blend in well with the adjacent land uses. The Comprehensive Land Use Plan directly indicates the subject property is best suited for medium density residential land uses. However, the property is immediately adjacent to and west of an existing B-3 (Highway Entrance Business) zoning district.

B. Disagree

The rezoning request from a residential to a commercial zoning district is inconsistent with the Town of Smithfield Future Land Use Plan which call for medium density residential zoning and land uses.

2. Finding Two of Eight

....The rezoning petition is compatible with established neighborhood patterns of the surrounding area....

A. Agree

The rezoning request is compatible with established neighborhood patterns which includes an existing commercial zoning district immediately east of the subject property.

B. Disagree

Rezoning the property to the B-3 (Business) zoning district will allow for intensive commercial land uses adjacent to existing residential neighborhoods to the west and to the south with no intermediate zoning districts to serve as a buffer between the two.

3. Finding Three of Eight

....The rezoning petition is compatible with the changing neighborhood conditions that might warrant a rezoning....

A. Agree

The rezoning petition is compatible with the changing neighborhood conditions that might warrant a rezoning because the rezoning will allow for the creation of new commercial zoning district that will promote economic development along the proposed Durwood Stevenson Highway. This area is envisioned by many to be area were the next wave of commercial development will take place.

B. Disagree

The rezoning petition is NOT compatible with the changing neighborhood conditions that might warrant a rezoning because the rezoning request will contribute to a proliferation of commercial development and will lead to addition traffic and congestion along Durwood Stevenson Highway.

4. Finding Four of Eight

....The rezoning request is in the community interest....

A. Agree

The rezoning request is in the community interest because the proposed commercial rezoning will allow for economic development opportunities in the area and ultimately increased tax revenue for the Town at large.

B. Disagree

The denial of the rezoning will be in the best interest of Smithfield because rezoning the property to the B-3 (Business) zoning district will consume land that could otherwise be used for high quality residential developments.

5. Finding Five of Eight

....The request does not constitute "Spot Zoning"....

A. Agree

Since adjacent nearby properties are presently zoned B-3 (Business) then it is unlikely an argument could be made for “spot zoning” or “small scale” zoning.

B. Disagree

Since the rezoning does not meet the definition of spot zoning then there is no valid basis for denial.

6. Finding Six of Eight

....Present regulations deny or restrict the economic use of the property....

A. Agree

The property is currently zoned R-20A (Residential-Agricultural). Commercial development of the property cannot occur unless the property is rezoned.

B. Disagree

There are limited considerations for residential development in the B-3 (Business) zoning district. Rezoning the property to a zoning district that allows for addition residential uses while limiting commercial uses should be pursued in more depth prior to rezoning to B-3 (Business).

7. Finding Seven of Eight

....the availability of public services allows consideration of this rezoning request....

A. Agree

Public water, sewer and electric services will be available at or near the site considered for rezoning. CenturyLink and Spectrum will serve the area with phone and cable respectively.

B Disagree

Since all the above utilities serve the area then there can be no justification to deny the petition.

8. Finding Eight of Eight

....Physical characteristics of the site prohibit development under present regulations....

A. Agree

The property is not affected by physical restraints such as wetlands, stream buffers, potential flood hazard areas and storm water. There is no limiting geological and hydrological formation that would prohibit development (rock outcrops, lakes, etc.)

B. Disagree

Since there are no physical features such as rock out crops that would render the rezoned *area undevelopable and given the fact that proper permits more than likely be obtained then there is no basis for denial based on physical characteristics.*

9. Once all findings have been decided one of the two following motions must be made.

Motion to Approve: Based upon satisfactory compliance with the above stated eight findings and fully contingent upon full incorporation of all statements entered into the record by the testimony of the applicant and applicant’s representative I move to approve the Rezoning Petition RZ-17-01.

Motion to Deny: Based upon the failure to adequately address all of the above stated eight findings and for the reasons stated therein, I move to deny the Rezoning Petition RZ-17-01.

10. Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Planning Board, Rezoning Petition RZ-17-01 is hereby recommended for:

Check one

_____ **Approval for the following reasons:**

_____ **Denial for the following reasons:**

Decision made this _____ day of _____, 20____ while in regular session.

Mr. Steve Upton, Planning Board Chairman

Attest:

**Mark E. Helmer, AICP, CZO
Senior Planner**



April 3, 2017

Paul Embler
Planning Director
Town of Smithfield
PO Box 761
Smithfield, NC 27577

Subject: E&F Properties – Booker Dairy Rd
Rezoning Application and Fee

Dear Mr. Embler,

Please find enclosed the rezoning application and the \$300 application fee.

If you have any questions or comments, please give me a call at 919-369-1938 or email to andrew@adamsandhodge.com.

Sincerely,

Andrew W Hodge, PE



Town of Smithfield
Planning Department
350 E. Market St Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

REZONING APPLICATION

Pursuant to Article 4, Section 4-1 of the Unified Development Ordinance, proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. Rezoning applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fee is \$300.00 for a rezoning to a Standard District.

Name of Project: E&F Properties-Booker Dairy Road Acreage of Property: +/-54.88 AC
Parcel ID Number: 260406-39-5534 Tax ID: 4753009
Deed Book: 04377 Deed Page(s): 0880
Address: Booker Dairy Road (Specific Address Unavailable)
Location: On the north side of Booker Dairy Road just east of Bradford Street and just west of Camelia Drive
Existing Use: Vacant Proposed Use: To Be Determined
Existing Zoning District: R-20A
Requested Zoning District: B-3
Is project within a Planned Development: Yes No
Planned Development District (if applicable): _____
Is project within an Overlay District: Yes No
Overlay District (if applicable): _____

FOR OFFICE USE ONLY

File Number: _____	Date Received: _____	Amount Paid: _____
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OWNER INFORMATION:

Name: Olivia Holding, E & F Properties, Inc

Mailing Address: P.O. Box 1352, Smithfield, NC 27577

Phone Number: 919-414-2515 **Fax:** N/A

Email Address: oholding@nc.rr.com

APPLICANT INFORMATION:

Applicant: Adams & Hodge Engineering, PC

Mailing Address: 335 Athletic Club Boulevard, Clayton, NC 27527

Phone Number: 919-369-1938 **Fax:** N/A

Contact Person: Andrew Hodge, PE

Email Address: andrew@adamsandhodge.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Conditional Use Permit application. This information is required to be present on all plans, except where otherwise noted:

- A map with metes and bounds description of the property proposed for reclassification.
- A list of adjacent property owners.
- A statement of justification.
- Other applicable documentation: GIS map showing subject property and adjacent property owners

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

N/A

REQUIRED FINDINGS OF FACT

Article 13, Section 13-17 of the Town of Smithfield Unified Development Ordinance requires applications for zoning map amendment to address the following findings. The burden of proof is on the applicant and failure to adequately address the findings may result in denial of the application. Please attach additional pages if necessary.

- 1. *The zoning petition is in compliance with all applicable plans and policies of the Town of Smithfield:*

The petition for the subject property will maintain compliance with any and all applicable plans and policies of theTown of Smithfield.

- 2. *The zoning petition is compatible with established neighborhood patterns of the surrounding area:*

The subject property is in an area that share a diverse variety of zonings. Residential, Office & Institutional and Business all make up the neighborhood pattern surrounding this property.

- 3. *The rezoning petition is compatible with the changing neighborhood conditions that might warrant a rezoning:*

The subject property abuts property adjacent to the Hwy 70 corridor that is already zoned as B-3 and is located in an area that is seeing neighborhood conditions that are evolving from residential uses to business and commercial uses.

- 4. *The rezoning request is in the community interest:*

This zoning request reflects the growing trend of having a mix of residential, retail, commercial and office/institutional uses intermingled to create areas of mixed use allowing the public to have immediate access to a variety of services which is in the community's interest.

- 5. *The request does not constitute "Spot Zoning":*

The subject property abuts property that is already zoned B-3 and many tracts of land in the immediate area are zoned B-3.

6. *Present regulations deny or restrict the economic use of the property:*

There are no present regulations that deny or restrict the economic use of the property

7. *The availability of public services allows consideration of this rezoning request:*

The subject property easily has access to a variety of public services that allows consideration of this rezoning request

8. *Physical characteristics of the site prohibit development under present regulations:*

The location of the subject property is in very close proximity to the Hwy 70 and Hwy 301 corridors whose properties are already zoned B-3. This physical characteristic of "location" prohibits the site from development under it's current residential zoning classification and lends itself to development under the proposed B-3 rezoning request.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject zoning map amendment. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Olivia Holding

Print Name



Signature of Applicant

4/1/17

Date



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

OWNER'S CONSENT FORM

Name of Project: E&F Properties, Inc. Booker Dairy Road Submittal Date: _____

OWNERS AUTHORIZATION

I hereby give CONSENT to Adams & Hodge Engineering, PC (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Olivia B. Holding Olivia B. Holding 4/1/2017
 Signature of Owner Print Name Date

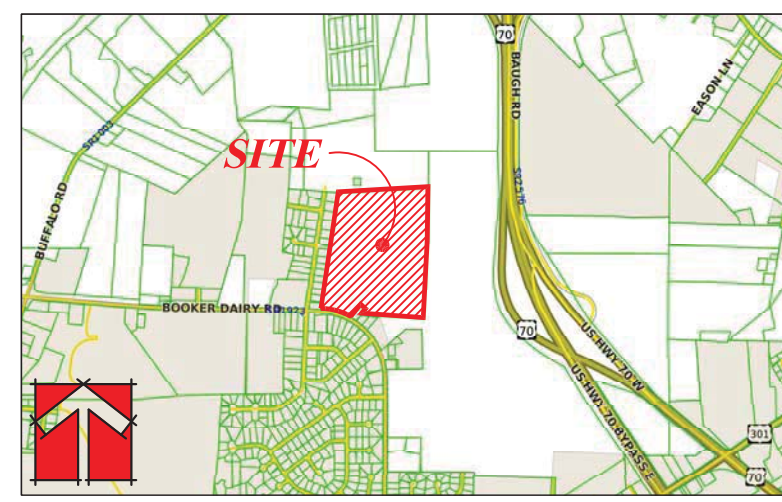
CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Olivia B. Holding Olivia B. Holding 4/1/17
 Signature of Owner/Applicant Print Name Date

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____



VICINITY MAP

ADJACENT PROPERTY OWNERS

*** DISCLAIMER ***
Johnston County assumes no legal responsibility for the information represented here.

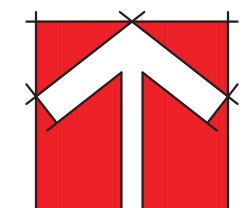
Result 1	Result 2
<p>Result 1</p> <p>Id: 14057004I Tag: 14057004I Tax Unique Id: 4684104 Owner Name 1: VENTURE CAPITAL PARTNERS LLC Owner Name 2: Mail Address 1: 64 TIMOTHY DR Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-7743 Book: 0361 Page: 0847</p>	<p>Result 2</p> <p>Id: 14059029A Tag: 14059029A Tax Unique Id: 4665681 Owner Name 1: GEORGE C McCLAMM PROPERTIES LLC Owner Name 2: Mail Address 1: 1404 WILSONS MILLS RD Mail Address 2: Mail Address 3: CLAYTON, NC 27520-0000 Book: 0384 Page: 0178</p>
<p>Result 3</p> <p>Id: 14049029H Tag: 14049029H Tax Unique Id: 0 Owner Name 1: DEPARTMENT OF TRANSPORTATION Owner Name 2: AGENCY OF STATE OF NC Mail Address 1: 1546 MAIL SERVICE CENTER Mail Address 2: Mail Address 3: RALEIGH, NC 27611 Book: 0049 Page: 0935</p>	<p>Result 4</p> <p>Id: 14057005T Tag: 14057005T Tax Unique Id: 0 Owner Name 1: DEPARTMENT OF TRANSPORTATION Owner Name 2: AGENCY OF STATE OF NC Mail Address 1: 1546 MAIL SERVICE CENTER Mail Address 2: Mail Address 3: RALEIGH, NC 27611 Book: 0049 Page: 0419</p>
<p>Result 5</p> <p>Id: 14057004D Tag: 14057004D Tax Unique Id: 4783167 Owner Name 1: CRIMALDI, ANTHONY VINCENT Owner Name 2: CRIMALDI, JENNIFER CLARK Mail Address 1: 1111 E BOOKER DAIRY RD Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-9417 Book: 0450 Page: 0191</p>	<p>Result 6</p> <p>Id: 14057009 Tag: 14057009 Tax Unique Id: 4786794 Owner Name 1: NEEL M HOWELL REVOCABLE TRUST Owner Name 2: HOWELL, NEEL M TRUSTEE Mail Address 1: Mail Address 2: PO BOX 528 Mail Address 3: SMITHFIELD, NC 27577-4000 Book: 0334 Page: 0383</p>
<p>Result 7</p> <p>Id: 14057001A Tag: 14057001A Tax Unique Id: 4704814 Owner Name 1: SULLIVAN, THOMAS E Owner Name 2: SULLIVAN, SHIRLEY Mail Address 1: 105 E BOOKER DAIRY RD Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-4000 Book: 0098 Page: 0486</p>	<p>Result 8</p> <p>Id: 14057005H Tag: 14057005H Tax Unique Id: 4706534 Owner Name 1: EGGLSTON, SARAH LYNN Owner Name 2: EGGLSTON, JOSILUA W Mail Address 1: 44 BRADFORD ST Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-9400 Book: 0464 Page: 0045</p>
<p>Result 9</p> <p>Id: 14057005G Tag: 14057005G Tax Unique Id: 4731700 Owner Name 1: OLTZ, JOSE JIMMY VANEEZ Owner Name 2: OLTZ, DENORA L SMITH RIVAS Mail Address 1: 40 BRADFORD ST Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-9400 Book: 04830 Page: 0093</p>	<p>Result 10</p> <p>Id: 14057005F Tag: 14057005F Tax Unique Id: 4664505 Owner Name 1: TOOLE, JESSICA B Owner Name 2: Mail Address 1: 36 BRADFORD STREET Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-4000 Book: 03227 Page: 0397</p>
<p>Result 11</p> <p>Id: 14057004C Tag: 14057004C Tax Unique Id: 4748354 Owner Name 1: McLEAN, LAWRENCE DEWEY JR Owner Name 2: Mail Address 1: 32 BRADFORD ST Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577 Book: 04028 Page: 0312</p>	<p>Result 12</p> <p>Id: 14057005D Tag: 14057005D Tax Unique Id: 4767999 Owner Name 1: LEE, LILL ROMAINE Owner Name 2: Mail Address 1: PO BOX 2623 Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-2623 Book: 0445 Page: 0418</p>

*** DISCLAIMER ***
Johnston County assumes no legal responsibility for the information represented here.

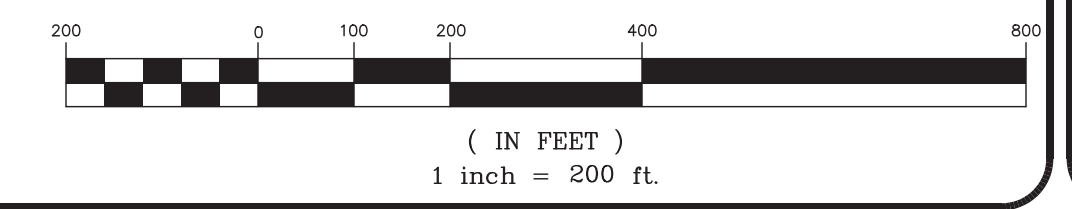
Result 13	Result 14
<p>Result 13</p> <p>Id: 14057005H Tag: 14057005H Tax Unique Id: 4712682 Owner Name 1: KING, LARRY RUFUS LIFE ESTATE Owner Name 2: KING, LOURNAE B LIFE ESTATE Mail Address 1: 24 BRADFORD ST Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-9400 Book: 04092 Page: 0630</p>	<p>Result 14</p> <p>Id: 14057004K Tag: 14057004K Tax Unique Id: 4664489 Owner Name 1: GREGORY, BETH M Owner Name 2: Mail Address 1: 18 BRADFORD STREET Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-4000 Book: 0242 Page: 0352</p>
<p>Result 15</p> <p>Id: 14057004T Tag: 14057004T Tax Unique Id: 4708117 Owner Name 1: AMMONS, SHANNON ALEXANDRIA ROBINSON Owner Name 2: Mail Address 1: 16 BRADFORD ST Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-9400 Book: 04645 Page: 0286</p>	<p>Result 16</p> <p>Id: 14057004S Tag: 14057004S Tax Unique Id: 4694312 Owner Name 1: ETHERIDGE, JOHN P Owner Name 2: ETHERIDGE, LYNDA V Mail Address 1: 14 BRADFORD ST Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-4000 Book: 01694 Page: 0520</p>
<p>Result 17</p> <p>Id: 14057004H Tag: 14057004H Tax Unique Id: 4697780 Owner Name 1: WILLIAMS, CHARLES A Owner Name 2: WILLIAMS, KARELIA Mail Address 1: 12 BRADFORD STREET Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-9400 Book: 01608 Page: 0441</p>	<p>Result 18</p> <p>Id: 14057004R Tag: 14057004R Tax Unique Id: 4664094 Owner Name 1: REISS, THEODORE Owner Name 2: Mail Address 1: 10 BRADFORD STREET Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-4000 Book: 01941 Page: 0590</p>
<p>Result 19</p> <p>Id: 14057001D Tag: 14057001D Tax Unique Id: 4734810 Owner Name 1: NORRIS, DANNY E Owner Name 2: NORRIS, CHRISTINA J Mail Address 1: 8 BRADFORD STREET Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-9400 Book: 01524 Page: 0021</p>	<p>Result 20</p> <p>Id: 14057004Q Tag: 14057004Q Tax Unique Id: 4664493 Owner Name 1: DINNIS, BARBARA NELLE Owner Name 2: Mail Address 1: 6 BRADFORD STREET Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-4000 Book: 02719 Page: 0609</p>
<p>Result 21</p> <p>Id: 14057004P Tag: 14057004P Tax Unique Id: 4730011 Owner Name 1: THORNTON, JACKIE SUTTON Owner Name 2: Mail Address 1: 4 BRADFORD STREET Mail Address 2: Mail Address 3: SMITHFIELD, NC 27577-4000 Book: 02731 Page: 0249</p>	<p>Result 22</p> <p>Id: 14057005S Tag: 14057005S Tax Unique Id: 4730012 Owner Name 1: DEPARTMENT OF TRANSPORTATION Owner Name 2: Mail Address 1: 1546 MAIL SERVICE CTR Mail Address 2: Mail Address 3: RALEIGH, NC 27699-1500 Book: 04876 Page: 0479</p>
<p>Result 23</p> <p>Id: 14057004O Tag: 14057004O Tax Unique Id: 4753810 Owner Name 1: DEPARTMENT OF TRANSPORTATION Owner Name 2: Mail Address 1: 1546 MAIL SERVICE CTR Mail Address 2: Mail Address 3: RALEIGH, NC 27699-1500 Book: 04876 Page: 0476</p>	



REVISED
9:47 am, Apr 03, 2017



GRAPHIC SCALE



REVISIONS:
335 ATHLETIC CLUB BLVD
CLAYTON, NC 27527
dominic@adams-hodge.com
919-243-1332
FIRM # C-4187

ADAMS & HODGE
ENGINEERING, PC



E & F PROPERTIES, INC
SMITHFIELD, NORTH CAROLINA

REZONING
EXHIBIT 'A'

DESIGN: -
DRAWN: TMH
CHECKED: AMH
HORIZONTAL SCALE: SEE GRAPHIC SCALE
VERTICAL SCALE: N/A
DATE: 04/03/2017
JOB NO.: AH-
SHEET:

RZ01

1000 Block of Booker Dairy Road



Project Name:
E&F Properties, LLC

File Number:
RZ-17-01

Existing Zoning:
R-20A (Residential-Agricultural)

Proposed Zoning:
B-3 (Business)

Owner:
Oliva B. Holding

Applicant:
Adams & Hodge
Engineering, PC

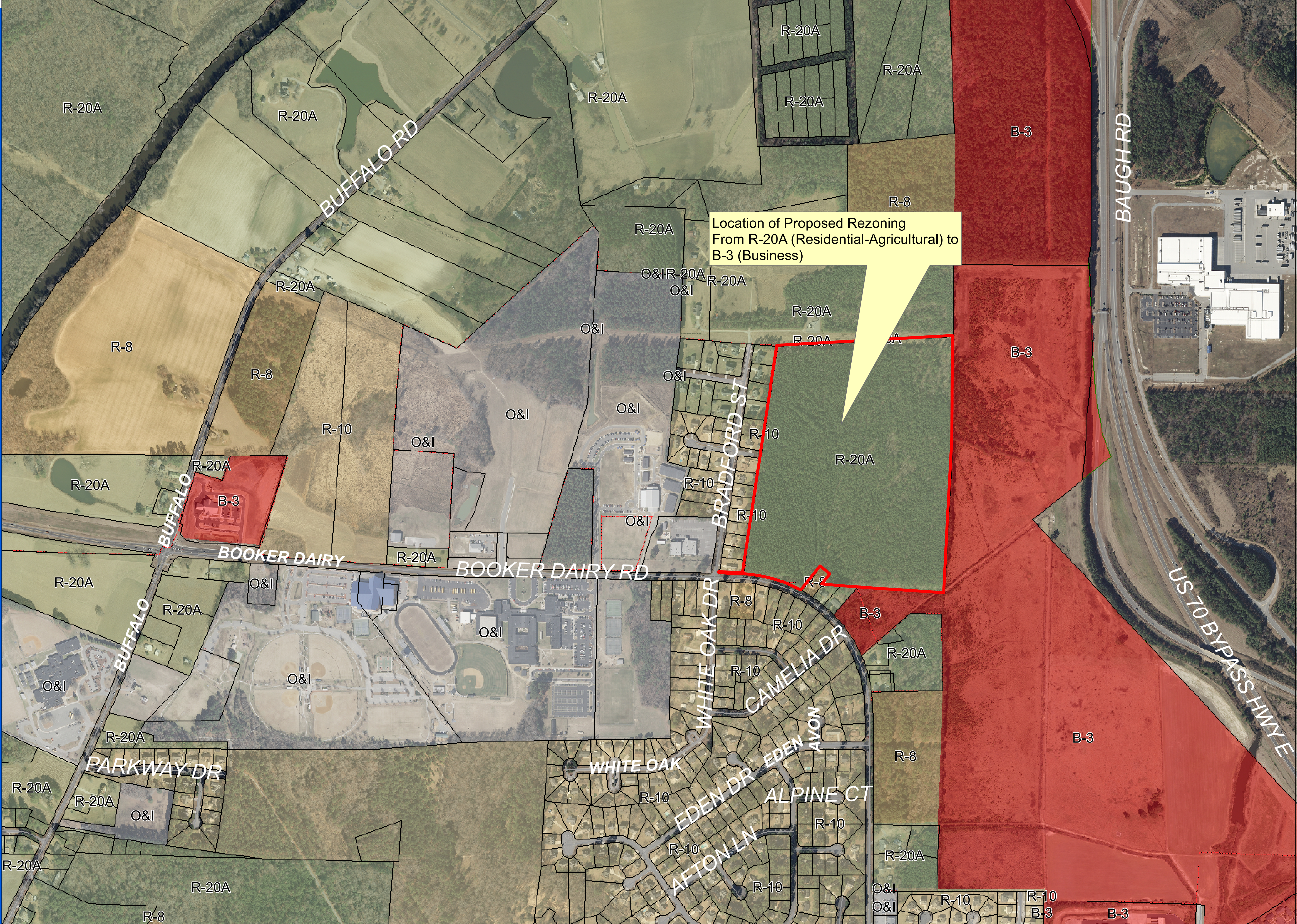
Location:
1000 Block of
Booker Dairy Road

Tax ID#
14057004D

Zoning District:
R-20A to B-3

Map created by the
Mark E. Helmer, AICP
Senior Planner,
GIS Specialist
on 4/27/2017

1 inch = 300 feet





PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Mark E. Helmer, hereby certify that the property owner and adjacent property owners of the following petition, RZ-17-01, were notified by First Class Mail on 4-24-17.

Mark E. Helmer
Signature

Johnston County, North Carolina

I, Shannan L. Williams, Notary Public for Johnston County and State of North Carolina do hereby certify that Mark E. Helmer personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

24th day of April, 2017

Shannan Williams
Notary Public Signature

Shannan L. Williams
Notary Public Name



My Commission expires on 5/20/2022

Adjacent Property Owners of
RZ-17-01

TAG	PIN	NAME1	ADDRESS1	CITY	STATE	ZIPCODE
14057004B	260406-38-3522	CRIMALDI, ANTHONY VINCENT	1111 E BOOKER DAIRY RD	SMITHFIELD	NC	27577-9417
14056008	260406-28-8456	HAWORTH, MARIAH	1014 E BOOKER DAIRY RD	SMITHFIELD	NC	27577-9414
14057005D	260406-29-7713	LEE, LILI ROMAINE	PO BOX 2623	SMITHFIELD	NC	27577-2623
14056003	260406-38-2213	AUSTIN, DALE L	1116 E BOOKER DAIRY RD	SMITHFIELD	NC	27577-9416
14056004	260406-38-1350	LMR RENTALS	201 S BRIGHTLEAF BLVD STE 1	SMITHFIELD	NC	27577-4077
14056006	260406-38-0400	REGISTER, WAYNE R	1106 E BOOKER DAIRY RD	SMITHFIELD	NC	27577-9416
14056009	260406-28-7479	PARRISH, JAMES CLINTON	40 BROOKWOOD DR	SMITHFIELD	NC	27577-0000
14056012	260406-28-5521	JONES, JOHN ALAN	20 SHORE DR	BCH	NC	28480-0000
14057004P	260406-28-5884	THORNTON, JACKIE SUTTON	4 BRADFORD STREET	SMITHFIELD	NC	27577-0000
14057001B	260406-29-6013	NORRIS, JIMMY E	8 BRADFORD STREET	SMITHFIELD	NC	27577-9400
14057004K	260406-29-6478	GREGORY, BETH M	18 BRADFORD STREET	SMITHFIELD	NC	27577-0000
14057004O	260406-28-5765	WHITFIELD, BOBBY C	P O BOX 956	SMITHFIELD	NC	27577-0956
14057004Q	260406-28-5993	ADAMS, BARBARA NELLE	6 BRADFORD STREET	SMITHFIELD	NC	27577-0000
14057004R	260406-29-6121	REISS, THEODORE	10 BRADFORD STREET	SMITHFIELD	NC	27577-0000
14057010	260406-38-6294	OLSEN, PAUL A	1211 BOOKER DAIRY RD	SMITHFIELD	NC	27577-9419
14057012	260406-38-8131	OLSEN, MARGIE B	1211 E BOOKER DAIRY RD	SMITHFIELD	NC	27577-9419
14057005F	260406-29-7958	TOOLE, JESSICA B	36 BRADFORD STREET	SMITHFIELD	NC	27577-0000
14M09029A	260406-38-2525	GEORGE C MCLAMB PROPERTIES LLC	5494 WILSONS MILLS RD	CLAYTON	NC	27520-0000
14056007	260406-28-9423	REGISTER, WAYNE R	1106 E BOOKER DAIRY RD	SMITHFIELD	NC	27577-9416
14057004C	260406-29-7847	MCLEAN, LAWRENCE DEWEY JR	32 BRADFORD ST	SMITHFIELD	NC	27577
14057004J	260406-38-2741	VENTURE CAPITAL PARTNERS LLC	64 TIMOTHY DR	SMITHFIELD	NC	27577-7743
14056005	260406-38-0386	STIERS, HARRY A	586 HOLLEY BERRY LANE	SELMA	NC	27576-0000
14056010	260406-28-6541	PITTMAN, LEIGH WILLIFORD	21 DOGWOOD LANE	FOUR OAKS	NC	27524-0000
14057004S	260406-29-6249	ETHERIDGE, JOHN P	14 BRADFORD ST	SMITHFIELD	NC	27577-0000
14057004D	260406-39-3596	E & F PROPERTIES INC	PO BOX 1352	SMITHFIELD	NC	27577-0000
14057004H	260406-29-6231	WILLIAMS, CHARLES A	12 BRADFORD STREET	SMITHFIELD	NC	27577-9400
14057005G	260503-20-7173	MANLEY, EDNA	414 MCPHERSON AVE	FAYETTEVILLE	NC	28303-4735

Adjacent Property Owners of
RZ-17-01

14057001A	260503-20-9910	SULLIVAN, THOMAS E	1505 E BOOKER DAIRY RD	SMITHFIELD	NC	27577-0000
14057001J	260503-30-2536	SULLIVAN, THOMAS E	1505 E BOOKER DAIRY RD	SMITHFIELD	NC	27577-0000
14057009	260407-57-1688	NELL M HOWELL REVOCABLE TRUST	PO BOX 528	SMITHFIELD	NC	27577-0000
14057005H	260503-20-7296	EGGLESTON, SARAH LYNN	44 BRADFORD ST	SMITHFIELD	NC	27577-9400
14057004T	260406-29-6368	ROBINSON	16 BRADFORD ST	SMITHFIELD	NC	27577-9400
14057005B	260406-29-6693	KING, LARRY RUFUS LIFE ESTATE	24 BRADFORD ST	SMITHFIELD	NC	27577-9400



PLANNING DEPARTMENT

Paul C. Embler, Jr., Director

Notice Of Public Hearing

Notice is hereby given that a public hearing will be held before the Planning Board of the Town of Smithfield, N.C., on Thursday, May 4, 2017 at 6:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following request:

RZ-17-01 E&F Properties, Inc: The applicant is requesting to rezone approximately 54.95 acres of land from the R-20A (Residential-Agricultural) to the B-3 (Business) zoning district. The property considered for approval is located on the north side of Booker Dairy Road approximately 200 feet east of its intersection with Bradford Street. The property is further identified as Johnston County Tax ID# 14057004D.

All interested persons are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the town office if you need assistance. Further inquiries regarding this matter may be directed to the Smithfield Planning Department at (919) 934-2116 or online at www.smithfield-nc.com.

Run "Legal Ad" in the Smithfield Herald on 4/19/17 and 4/26/17



PLANNING DEPARTMENT

Paul C. Emblar, Jr., Director

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You have been identified as a property owner in the area specified above and are being advised of this meeting as you may have interest in this matter. You are welcome to attend; however, you are not required to in order for the Board to act on this request. Additional information may be obtained by contacting the Town of Smithfield Planning Department at 919-934-2116.